

January 13, 1994 LB 441

who would care to speak to the committee amendments? Seeing none, Senator Hartnett, he waives closing. Question is, shall the committee amendments be adopted? All those in favor vote aye, opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

SENATOR HALL: The committee amendments are adopted. Anything further on the bill?

CLERK: Senator Warner, you had an amendment printed last year. I have a note you want to withdraw that, Senator.

SENATOR WARNER: Withdraw.

SENATOR HALL: It is withdrawn.

CLERK: I have nothing further on the bill, Mr. President.

SENATOR HALL: Senator Warner, on the bill.

SENATOR WARNER: Mr. President, members of the Legislature, I move that LB 441 be advanced to E & R Initial. Senator Hartnett has already explained, but essentially under existing law there were two provisions of statute that were somewhat in conflict requiring a public hearing under certain circumstances when done by municipalities. This limits it to...the municipalities being limited to one statute. Still requiring a public hearing in accordance with their ordinance, as required by statute, so the public protection is the same. But the confusion of two different public hearing requirements with different timing and spacing of number of days between the acts is eliminated to one, and it will make it similar to operate. In fact the whole issue came up from a court case where an entity...where a municipality had failed to follow one, but it followed the other. And under those circumstances it seems to me that bill as it is now amended would avoid that problem in the future, still protecting the public interest of a public hearing.

SENATOR HALL: Thank you, Senator Warner. Senator Wesely, your right is next.

SENATOR WESELY: Thank you, Mr. President, members. I appreciated Senator Warner's explanation of the issue. So there